

REMARKS

This Amendment and Response is responsive to the Office Action mailed March 19, 2004. In that Action: claims 10-22, 26-28, and 31-38 were pending; claims 26, 27, 31-33, 35, and 37 were rejected under 35 U.S.C. §102(e) as being anticipated by Bryars (USPN 5,986,815); claims 10, 13, 14, 16-20, and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable under Bryars in view of Hayase, et al. (US Patent Pub. No. 2002/0009890); claim 21 was rejected under §103(a) as being unpatentable under Bryars in view of Hayase, et al. as applied to claim 10, and further in view of Saito, et al. (USPN 4,784,791); claim 34 was rejected under §103(a) as being unpatentable under Bryars as applied to claim 32, and further in view of Saito, et al.; claims 11, 12, 15, and 28 were objected to as being dependent on a rejected base claim, but noted as allowable if rewritten in independent form; and claims 36 and 38 were allowed.

No claims have been amended. New claims 39-43 have been added. The new claims are believed to be patentable because none of the cited prior art teaches or suggests a display system with the combination of a microdisplay that lies substantially in a plane; a source of light located proximate to the plane, the source being oriented to direct light up and away from the plane; and an optical element located above the plane in position to direct the light from the source of light toward the microdisplay, the optical element being substantially further away from the microdisplay than is the source of light.

Each of the rejected claims has been rejected based altogether or in part on Bryars or Hayase, et al. Neither of these references qualifies as prior art to the claims of the present application, however. The present application has an effective filing date of December 22, 1994 via a string of continuing applications that resulted in U.S. Patent Nos. 5,808,800, 6,038,005, 6,195,136, and 6,359,723. Bryars, on the other hand, was filed on May 15, 1998 and issued on November 16, 1999, with no foreign or domestic priority claim. Hayase was filed on July 11, 2001 (claiming priority from a Japanese application filed July 11, 2000) and was published on January 24, 2002. Clearly, neither of these two references qualifies as prior art relative to claims that have priority back to December 22, 1994.

It is noted that the Updated Filing Receipt mailed 10/01/02 incorrectly states the Domestic Priority Data that was correctly stated in the Utility Patent Application Transmittal filed on February 4, 2002 in this case. A Request for a Corrected Filing Receipt is filed herewith.

Based on the foregoing comments, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecute and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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